

Application No.: 10/587,363
Art Unit: 2826

Amendment under 37 CFR §1.111
Attorney Docket No.: 062711

REMARKS

Claims 12 and 14-19 are pending in the application and stand rejected. Claims 12, 16 and 18 are herein amended. Claim 13 is herein canceled. No new matter is added. In light of the foregoing amendments and the following remarks, Applicants earnestly solicit favorable reconsideration.

Applicants thank the examiner for considering the subject matter of claims 12-14 and 17 to be allowable.

On the Merits

Claim Rejections - 35 U.S.C. §112

Claims 16 and 18 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended claims 16 and 18 to recite that the width of the heat radiating or cooling pattern is greater than the width of the wiring pattern. Applicants submit that claims 16 and 18 are in proper form.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 15 and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Tokuji et al.* (JP 2003-188418), hereinafter referred to as *Tokuji*.

Independent Claim 15:

Independent claim 15 recites:

An attachment structure of an LED, characterized in that

in a connection of an anode and a cathode of an LED where said anode, said cathode and an LED pedestal are provided within a housing to wiring patterns provided on a substrate,

a lead end which is thermally connected to said LED pedestal is provided outside of the housing of said LED, and

a heat radiating member or a cooling member is directly attached to the rear surface of said substrate in a manner that the lead end of said LED is thermally connected either directly to the heat radiating member or the cooling member or indirectly to the heat radiating member or the cooling member via a heat radiating pattern or a cooling pattern which is provided independently of the wiring patterns of said substrate.

The Examiner contends that each of the recited features is disclosed in *Tokuji*. The Examiner points to FIGS. 2 and 4(a) and 4(b). Regarding the anode and cathode, as recited in claim 1, the Examiner points to directly beneath LED 1, (which is not labeled). Reference numeral 3 is described as the electrodes 3.

If however, the Examiner considers the electrodes 3 to disclose the anode and cathode, the electrodes 3 could also not disclose the lead end, as the Examiner suggests. Please note that claim 1 introduces at least three elements, “an anode,” “a cathode,” and “a lead end.” As such,

Application No.: 10/587,363
Art Unit: 2826

Amendment under 37 CFR §1.111
Attorney Docket No.: 062711

the reference must show all three features in order to disclose the claimed invention. If the Examiner considers electrodes 3 to disclose a lead end, then the electrodes 3 can not disclose an anode or cathode.

Furthermore, *Tokuji* discloses thermal conducting portion 2 which may be connected with a heat radiating portion (not shown) which is made from such as a copper film on a substrate, by means of solder and the like (see paragraph 0016 and 0019).

Independent claim 15 is also therefore distinguishable from *Tokuji* in that the claimed invention recites that the heat radiating member or the cooling member is directly attached to the rear surface of the substrate and connected with the lead end of the LED. This feature is **not** shown in *Tokuji*.

As such, applicants ask the examiner to withdraw the rejection and place the application in condition for allowance.

Application No.: 10/587,363
Art Unit: 2826

Amendment under 37 CFR §1.111
Attorney Docket No.: 062711

Dependent Claims 18 and 19:

As claims 18 and 19 each depend from independent claim 15, the arguments presented above regarding claim 15 also apply to its dependent claims. As such, applicants ask the examiner to withdraw the rejection and place the application in condition for allowance.

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejection under 35 U.S.C. §112 and the rejection under 35 U.S.C. §102 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

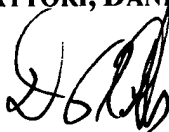
Application No.: 10/587,363
Art Unit: 2826

Amendment under 37 CFR §1.111
Attorney Docket No.: 062711

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Dennis M. Hubbs
Attorney for Applicants
Registration No. 59,145
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

DMH/ttw